

The seal of the State of Texas, featuring a five-pointed star in the center, surrounded by a wreath. The words "THE STATE OF TEXAS" are inscribed around the perimeter of the seal.

W. J. (DICK) HOLY
M. KENNEDY
LEONARD KING
LETCHER KING
GEORGE P. KIRKPATRICK
SAM LANE
ROBERT W. MCKISSICK
WILLIAM MCMILLAN
M. C. MARTIN
T. F. (TED) MORROW
LEON O. MOSES
PAT M. NEFF, JR.
HARRY S. POLLARD
W. B. POPE
RUSSELL RENTFRO
TOM D. ROWELL
ALFRED M. SCOTT
JOE SHARP
DICK STOUT
EARL STREET
MARVIN TREVATHAN
FRED C. VARNER, JR.
EFFIE WILSON-WALDRON
CHARLES S. WALKER

Article 3899a, as amended, Revised Civil Statutes of 1925, vest in the commissioners' court the authority to purchase typewriters for the use and benefit of the county clerk and further provides that such typewriter and other such furniture shall be paid for on the order of the commissioners' court out of the county treasury. No provision is made that it may be paid out of the fees of office and this being the only article permitting the commissioners' court to handle office furniture, it is the opinion of the writer that it is exclusive and the only method by which typewriters may be purchased. Upon pursuing Article 3899b further, we find that all such articles provided for therein must be purchased under the provisions of Article 1659, Re-

Mr. Guy Turner, January 13, 1939, Page 2

vised Civil Statutes of Texas, 1925.

Section 2 of Article 3899b provides:

"Suitable offices and stationery and blanks necessary in the performance of their duties may in the discretion of the Commissioners Court also be furnished to resident District Judge, resident District and County Attorneys, County Superintendents and County Surveyors, and may be paid for on order of the Commissioners Court out of the County Treasury."

In the absence of statutory authority, you are respectfully advised that the commissioners' court has no authority to purchase an adding machine or typewriter for the use of the county school superintendent and pay for the same out of the general fund.

Trusting that the foregoing answers your inquiry,
I remain

Very truly yours

ATTORNEY GENERAL OF TEXAS

By *Arnell Williams*
Assistant

AW:AW

APPROVED:

Gracis B. Mauer *myh*
ATTORNEY GENERAL OF TEXAS